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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,520	01/29/2004	Charles Robert Kalmanek JR.	113300CON	5508
26652	7590	07/24/2007		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER WONG, BLANCHE	
			ART UNIT	PAPER NUMBER
			2616	
			MAIL DATE	DELIVERY MODE
			07/24/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/767,520

Applicant(s)

KALMANEK ET AL.

Examiner

Blanche Wong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

2. Claim 22 is objected to because of the following informalities:

With regard to claim 22, Examiner suggests replacing "the non-broadcast multiple access network" in line 1 with "the at least one connection-oriented non-broadcast multiple access network" in consistent with "at least one connection-oriented non-broadcast multiple access network" in claim 19, line 2. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claim 19** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. There is insufficient antecedent basis for this limitation in the claim.

Claim 19, line 8, "other routers".

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 19-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over Luong (U.S. Pat No. 6,314,105) in view of Rekhter (U.S. Pat No. 5,917,820).

With regard to claim 19, Luong discloses

assigning a number (**common network identifier, col. 6, lines 46-47**) to each of the interfaces (**routers A,B,C,D,E in Fig. 1B**);

grouping the interfaces (**routers**) into connectivity classes (**subnetworks 132,134, in Fig. 1B**); and

transmitting to other routers in the communication network (**router C serves as a bridge between subnetworks 132 and 134, col. 6, lines 57-58**).

However, Luong fails to explicitly show encoding information identifying the interfaces and the connectivity classes into a link state packet.

Rekhter discloses

encoding information identifying the interfaces (**a list of its neighbors**) and the connectivity classes (**link-local scope**) into a link state packet (**LSP**) (**in link state routing, each router constructs a packet ... link state packet (LSP) containing a list of its neighbors and an associated cost of using the next link path to those**

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neighbors as the next hop, col. 11, lines 59-62) (See Also In OSPF, the Opaque LSA packet configured with a link-local scope may be used to carry the tags associated with the route, col. 12, lines 1-3).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine encoding information identifying the interfaces and the connectivity classes into a link state packet as taught in Rekhter with Luong to implement link state routing.

With regard to claim 20, the combination of Luong and Rekhter discloses the method of claim 19.

Rekhter further discloses OSPF (OSPF) link state advertisement (LSA) (In OSPF, the Opaque LSA packet configured with a link-local scope may be used to carry the tags associated with the route, col. 12, lines 1-3).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine OSPF link state advertisement as taught in Rekhter with Luong for the benefit of OSPF.

With regard to claim 21, the combination of Luong and Rekhter discloses the method of claim 19.

Rekhter further discloses opaque (opaque) fields of the link state packet (LSA packet) (In OSPF, the Opaque LSA packet configured with a link-local scope may be used to carry the tags associated with the route, col. 12, lines 1-3).

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At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine opaque fields of the link state packet as taught in Rekhter with Luong for the benefit of OSPF.

8. **Claim 22** is rejected under 35 U.S.C. 103(a) as being unpatentable over Luong and Rekhter as applied to claim 19 above, and further in view of Callon (U.S. Pat No. 5,699,347).

With regard to claim 22, the combination of Luong and Rekhter discloses the method of claim 19. However, the combination fails to explicitly show an ATM network.

Callon discloses an ATM network (**ATM subnetworks, col. 4, line 25**).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine an ATM network as taught in Callon, with Luong and Rekhter, for the benefit of having an ATM backbone for the routers.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Blanche Wong whose telephone number is 571-272-3177. The examiner can normally be reached on Monday through Friday, 830am to 530pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BW

BW
July 12, 2007

Robert W. Wilson

Robert W. Wilson

7/19/07